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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,294	02/11/2002	Manabu Hasegawa	217881US3PCT	9470

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EXAMINER

MCCAMEY, ANN M

ART UNIT PAPER NUMBER

2833

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/049,294

Applicant(s)

HASEGAWA, MANABU

Examiner

Ann M McCamey

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 8-10 are objected to because of the following informalities: claim 9 is a duplicate of 8; in claim 10, "the engagement means" lacks antecedent basis. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo (GB 2 326 050 A).

Regarding claim 1, Kubo discloses a card attachment/detachment device holding detachably a card in a space defined between a body and a lid, comprising:

a card accommodation section (Fig. 6) arranged at any one of the body and the lid; a terminal 51b arranged at the other to come into contact with a card 22 placed in the card accommodation section and to press the card toward the card accommodation section;

a stopper section 52a-1 constituting a part of a card insertion/removal opening communicating with the card accommodation section and coming into contact with a part of the card placed in the card accommodation section;

and a first biasing means 52a-2 pressing the card toward the stopper section when the card is placed in the card accommodation section and ejecting the card to the outside through the card insertion/removal opening when the card is removed from the card accommodation section.

Regarding claim 2, Kubo discloses a cap 52b arranged detachably at the card insertion/removal opening.

Regarding claim 3, Kubo discloses an operating means arranged to release pressure of the first biasing means applied to the card against the stopper section.

Regarding claim 4, Kubo discloses a rib 52a-1 arranged at a part of the card accommodation section, the rib coming into contact with a distinctive shaped section of the card when the card is placed in the card accommodation section.

Regarding claim 5, Kubo discloses card attachment/detachment device holding detachably a card in a space defined between a body and a lid, comprising:

a card accommodation section (Fig. 6) arranged at any one of the body and the lid;

a stopper section 52a-1 constituting a part of a card insertion/removal opening, which communicates with the card accommodation section displaced from the card insertion/removal opening in a width direction of the card, and coming into contact with a part of the card placed in the card accommodation section; an engagement means 52a-2 engaging with the card within the card accommodation section; and an operating means moving the card to place a part of the engaged card in contact with the stopper section.

Regarding claim 6, Kubo discloses a second biasing means 52a-3 pressing the engagement means in a direction of crossing a direction of insertion of the card.

Regarding claim 7, Kubo discloses a third biasing means 52c-3 ejecting the engagement means to the outside through the card insertion/removal opening.

Regarding claims 8 and 9, Kubo discloses a rib 52a-1 arranged at the engagement means, the rib coming into contact with a distinctive shaped section of the card when the card is placed in the card accommodation section.

Regarding claim 10, Kubo discloses a card attachment/detachment device holding detachably a card in a space defined between a body and a lid, comprising:

a holder 52 allowing being inserted into and removed from the space and having a card accommodation section accommodating the card;

a lock means 52c holding the holder within the space;

a release means 52c-2 releasing the lock of the lock means; and

a biasing means ejecting the engagement means to the outside when the card is removed from the card accommodation section.

Regarding claim 11, Kubo discloses a rib 52a-1 arranged at a part of the card accommodation section, the rib coming into contact with a distinctive shaped section of the card when the card is placed in the card accommodation section.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann M McCamey whose telephone number is (703) 305-3422. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AMM  
November 16, 2002



Gary Paumen  
Primary Examiner